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ABSTRACT

At Earlham College, a liberal arts college with a Quaker heritage and an enrollment of 1200, department heads and administrators were surveyed to discover the perceived impact of federal regulation and legislation. Faculty were sent questionnaires; administrators were sent questionnaires followed up by interviews. The complaints registered were: (1) increasing amounts of time must be diverted from educational goals to monitoring regulations and to reporting; (2) the adversarial situation between faculty, administration, and students is heightened; (3) autonomy is lost; (4) the government becomes another constituency to which the institution must answer in curricular and policy development; and (5) duplication of effort occurs in reporting duties. However, impact is seen in other, less obvious places. The feeling of being able to solve problems privately is felt to be disappearing. Frustration is seen to stem from several sources: lack of dialogue with government agencies; lack of control over one's own fate; a felt decrease in effectiveness. It is concluded that the institution must resist the forces accompanying federal regulation that may tend to steer the institution toward a common median standard. (MSE)

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THE IMPACT OF FEDERAL REGULATION ON HIGHER EDUCATION: A SELF-STUDY AT EARLHAM COLLEGE

I. Setting

Earlham College is a small, independent liberal arts college in Richmond, Indiana. It was established in 1847 by the Society of Friends. Today, it retains many of the values which were important to the founding Quakers. It is a Quaker college, but is not narrowly sectarian. A quote from the current catalog gives a flavor of the type of institution Earlham is. "Our educational tradition is respected for its academic excellence, its concern with good teaching, and its commitment to the support and academic fulfillment of the individual student. At Earlham we continue to stress the importance of educating good leaders, instilling a sense of social justice, developing personal values instead of simply accumulating knowledge, striving for openness and communication, and minimizing pretense and formality."

Earlham has an enrollment of approximately 1200 students. The Board of Trustees established 1000 FTE's as a limit in order to maintain an environment which is conducive to the development of an educational community which can achieve the above goals. A serious effort is made each year to keep the number of males and females about even. Students come from all over the United States and from some foreign countries to study at Earlham. The students generally represent the upper quarter of their high school graduating class, but the Admissions officers also seek out students with potential who may not have achieved academic recognition during their high school programs. Students choose Earlham because of size, educational philosophy, academic reputation and Quaker influence.

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There are 125 faculty and administrators. Most administrative faculty teach at least one course a year and often serve as academic advisers or advisers to student organizations. The faculty as a whole conducts the business of the college, a task often delegated in other schools to representative bodies. We conduct our business using Quaker business meetings procedures, utilizing consensus rather than parliamentary procedure.

The focus of the curriculum of the college is on liberal arts. There are a few pre-professional program options and a secondary teacher certification program, but there are no other professional majors. Students are encouraged to develop their own majors and individualized ways to meet the college requirements.

Last year, the operating budget of the college was approximately $8,300,000. $650,000 of the income came from the federal government. About 75% of that income was in the form of student aid. The remainder represents monies for grants. These figures are fairly representative of the normal level of federal funding in our total budget.

II. Methods of Gathering Information

I sent out brief questionnaires to two groups of people - department chairpersons and advministrative officers (see appendix A & B, p. 8 & 9.) I had some indication that the impact of federal regulation would not be very strong on the majority of the faculty. Thus, I asked only for written responses to the questionnaire sent to Department Chairpersons. My intention was to follow up any extensive or unusual response with an interview. The purpose of this questionnaire was to determine the amount of time spent in pursuing government funding and any curricular changes which resulted from

legislation and priorities in government spending.

A second questionnaire was sent to Administrative Officers whose areas were directly affected by legislation and regulation. The purpose of this questionnaire was to provide a focus for the discussion in an interview which was scheduled within the subsequent few weeks. The questions tried to ascertain reactions to federal regulations, time spent on meeting those regulations, and changes occuring as a result of the regulations. Interviews were scheduled with the following administrative officers: Vice-President for Business, Vice-President for Student Development, Vice-President for Development, Comptroller, Director of Admissions, Director of Publications, Director of Buildings and Grounds, Financial Aid Director, Registrar, Director of Computer Center, and Director of Security.

I was also able to fill in gaps in information because I serve as Associate Academic Dean and work with the Academic Dean as well as other Administrative Officers. In addition, I serve on the Budget Committee, the President's Advisory Committee, the Curricular Policy Committee, and the Faculty Affairs Committee. Because of the size of our administrative staff and the involvement of each in the problems of the total college, I feel that I have had ready access to information, concerns, and personal assessments of the whole problem of the impact of federal regulation on Earlham College.

III. Results of the Study

Earlham College faculty and administrators have the kinds of complaints that I'm sure will be heard again and again from other colleges. They are:

1. More of our time, resources and attention must be diverted from educational goals to monitering government regulations and reporting to government agencies.
2. The adversarial role between faculty and administration and students and faculty is heightened.
3. We have lost some of our autonomy because outside agencies can dictate requirements to us.
4. The government becomes another constituency to which we must answer in curricular and policy development.
5. Much duplication of effort is required in the regulatory reporting.

These are the more obvious impacts of federal regulation on higher education. But what of the character of the college, is it being affected? At Earlham, we feel that there is a danger of this and it is to this impact that I wish to speak.

As I stated earlier, Earlham is independent -- it is fiercely independent and proud of its autonomy. We work very hard at creating an environment which can be labeled a scholarly community. We hope that each member will feel a sense of concern for and responsibility to all other members. This kind of community requires an openness with each other. Earlham's independence and autonomy enhance the relationship because it allows decisions to be made directly for the benefit and concerns of the members of the community.

However, many regulations designed for the noblest of causes, in fact, cause us to treat each other more legalistically. We are forced into adversarial roles more often. We seek more often to protect ourselves from potential legal action than take actions because of our concern for others. Our need for moral concern is replaced by legal definitions of rights and relationships thus weakening the fragile nature of our relationships with each other.

We are losing the sense that we can work out problems quietly and carefully in the privacy of an office. We have lost information once available to us that allowed us to deal with each other as whole individuals. Each of these changes move us further from the type of "caring" institution we strive to be. For example, the Academic Dean recently received a leaflet printed by one of the regulating agencies that identified the kinds of questions he could and could not ask in interviews with candidates for positions. Our Dean is most effective because he knows first hand the problems, the relationships, the concerns, the strengths, the weaknesses of each department. His interviewing techniques provided him with invaluable information in assessing a candidate's potential within a particular department. Now, he feels constrained in getting to know enough about a candidate to make those assessments as accurately as he once could. The college loses, because our Dean cannot be as effective in the hiring process as he once was. One of the strengths of our faculty is in the way we know each other but this knowledge is now inhibited by regulatory procedure.

Another impact is the increase in the frustration level of individuals. We must respond to a variety of constituencies; students, parents, alumni, Quakers, prospective students. Now the government has become another necessary constituency. However, it is a cold, deaf constituency. For each of the other groups to which the college must respond, there can be dialogue, give and take and ultimately the choice of ignoring some demands. On the other hand, there seems to be no dialogue about government demands. The people we deal with in the regulatory agencies are so far from the decision-makers that they must be unyielding in their relationship with us. There is no dialogue, there are no exceptions, there is no flexibility and finally there is no real recourse but compliance because the consequences are too great.

Our Vice-President for Business recently wrote to our Congressional Representative to share our frustration with the red tape involved with receiving Federal funds through the NIH Cash Request System. We had been unable to receive the funding within a reasonable time after the request, causing a depletion of cash flow and subsequently increased borrowing. The frustration resulted from a change in the procedure which led to a confusion about fund authorization and required many letters and phone calls to understand the problem and try to deal with it in such a way so that it would have less impact on our day-to-day financial operation.

A second source of this fruatration is that we really can't be the "master's of our own fate." An outside force is placing many demands and restrictions on us which may or may not coincide with the goals of the institution. The design of our buildings may be altered. As an example of this, in an addition to our museum, we were required to include a sprinkler system that should it be set off, would destroy the whole collection - an ironic form of protection. Our curriculum may respond subtly to goals of funding sources rather than our institutional goals. This is not necessarily bad, but it does show that government regulation can remove some of the control we once had in the determination of all aspects of the college. The Buckley Amendment has required us to give up some information which was helpful in the way we try to deal individually with student needs and student problems. We do not, for example, share as much personal knowledge about students with others through the student file. We tend to be less candid in our evaluations of students for internal purposes as well as external.

A third frustration is that we aren't doing our jobs as effectively as we did in the past. When an administrative staff member must assume new tasks associated with government regulation, there are very few others to absorb part of his/her former tasks. All of the jobs get done, but not as effectively as we once felt they did. Waiting for final regulations or information necessary to compliance with regulations causes delays in dealing with other campus problems or student needs making all of us more irritable because schedules have to change. As frustration increases, effectiveness decreases and the total college is ultimately affected. Recently our one computer programmer was required to do some programming to enable us to get a state report ready by its due date. This made the Admissions Director unhappy because there was no computer program to enable the matching of prospects and zip codes ready for the first scheduled Admissions area visitations. In our seven-member Accounting Department, one man now spends almost full time monitering and reporting about the Federally insured student loans. However, there have been no additions to that staff to do the jobs he once routinely did.

We are a person-oriented institution. We try to maximize our distinctive comparative advantages but responses to Federal and State regulations force similar answers from food service and health insurance; to stairways and elevators, through retirement programs and student loan policies. We can only excel if we are able to be distinctively stronger, worth the differences in our tuition charges. We must resist the trends that force us to a common median standard. As government regulation affects the personal relationships within our community, our community changes toward that median. This is the real and serious impact of federal regulation on higher education.

APPENDIX A

MEMORANDUM

TO: Department Chairpersons

FROM: Marilyn LaPlante

DATE: April 11, 1977

I am preparing a report that will be submitted by the College to a Commission established by the Sloan Foundation to study the impact of federal regulation on higher education. It would be helpful if you would answer the following questions. Thanks for your time and effort.

1. Can you identify any influence of programmatic legislation and priorities in government support on curriculum and/or research in your department over the past five years? (Programmatic legislation is that legislation which is related to higher education and provides support for research or education programs, e.g., NSF, NGH, FIPSE.)

2. How would you assess the time or attention paid by your department to monitering or pursuing government funding or establishment of future priorities?

3. To what extent are the members of your department or your departmental activities affected by what you perceive to be government regulation of higher education?

APPENDIX B

MEMORANDUM

TO: Administrative Officers

FROM: Marilyn LaPlante

DATE: April 11, 1977

I am preparing a report that will be submitted by the College to a Commission established by the Sloan Foundation to study the impact of federal regulation on higher education. I would like to come to talk with you about this issue within the next few weeks. The following questions may help focus our discussion. Peggy Estes will call for an appointment. Thanks for your time.

1. What activities within your office are done differently because of federal regulations?

2. How much time do you spend monitering government regulations?

3. Are there particular costs related to your activities that can be traced to government regulations?

4. Has the focus of the activities within your office changed over the last five years because of what you perceive to be government regulations?

5. What specific problems do you encounter with requests demanded by government regulatory agencies?